THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.10564 of 2006

Dated: 20-06-2006

Between:

Narsappa.

..... PETITIONER

AND

The Mandal Revenue Officer, Medak District.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.10564 of 2006

ORDER:

The petitioner was assigned land admeasuring Acs.4.03 guntas in survey No.316 of Mogdampally village, Zaheerabad Mandal, Medak District, vide proceedings dated 31-01-1977. The petitioner is allegedly cultivating the land. He alleges that on 26-05-2006, the officials of the respondent surveyed the land and also allegedly informed that the petitioner has to vacate the land as the same is required for allotment of house sites. Therefore, the present writ petition is filed alleging that when the land was assigned as per Section 14 of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973, it is not open to the respondent to resort to arbitrary action to evict the petitioner.

After getting instructions in the matter, learned Assistant Government Pleader for Revenue (General) submits that the writ petition is filed on mere apprehension and there is no move to dispossess the petitioner. It is also brought to the notice of this

Court that though the land admeasuring Acs.4.01 guntas in survey No.316 was assigned to the petitioner, he is actually in possession of Acs.5.21 guntas and that there is dispute between the petitioner and another in that regard.

In view of the submission of the learned Assistant Government Pleader, this Court holds that the petitioner has no proper cause of action to invoke jurisdiction under Article 226 of the Constitution of India.

The writ petition is therefore dismissed. No costs.

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(**V.V.S.RAO, J**)

20th June, 2006

ghn